

United States District Court
Eastern District of California

Donald Williams, et al.,

Plaintiffs,

vs.

T. Felker, et al.,

Defendants.

No. Civ. S 05-0501 MCE PAN P

Findings and Recommendations

-oOo-

Plaintiff Burns has not filed anything in many months and the record reflects Burns' co-plaintiff Williams long has been unable to correspond with him.

December 28, 2005, the court ordered plaintiff Burns to show cause, within 20 days, why it should not deem his application to proceed in forma pauperis withdrawn and dismiss his claims without prejudice pursuant to Fed. R. Civ. P. 41(a). He did not respond.

Good cause appearing, the court hereby recommends plaintiff

1 Burns' application to proceed in forma pauperis be deemed
2 withdrawn and his claims be dismissed without prejudice. Fed. R.
3 Civ. P. 41(a).

4 Pursuant to the provisions of 28 U.S.C. § 636(b)(1), these
5 findings and recommendations are submitted to the United States
6 District Judge assigned to this case. Written objections may be
7 filed within 20 days of service of these findings and
8 recommendations. The document should be captioned "Objections to
9 Magistrate Judge's Findings and Recommendations." The district
10 judge may accept, reject, or modify these findings and
11 recommendations in whole or in part.

12 Dated: February 7, 2006.

13 /s/ Peter A. Nowinski
14 PETER A. NOWINSKI
15 Magistrate Judge
16
17
18
19
20
21
22
23
24
25
26